

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

LEONARD D. SEAY,	)	
	)	
Plaintiff ,	)	
	)	
v.	)	7:09-CV-2454-KOB-JEO
	)	
CITY OF HOMEWOOD POLICE	)	
DEPARTMENT,	)	
	)	
Defendant.	)	


MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on June 1, 2010, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on June 17, 2010.

The plaintiff objects to the findings of the magistrate judge that he has not been denied due process because he has the right to seek the return of his property by making a claim to the State Board of Adjustment. However, the plaintiff has not provided any support for his position except to cite the Fourth Amendment to the Constitution.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 16<sup>th</sup> day of September 2010.

  
KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE